

TENTATIVE RULINGS

CIVIL / FAMILY LAW CASE MANAGEMENT CALENDAR

For: 6/28/10 Monday Dept: 1A

(Posted 6/24/10)

Tentative Rulings are proposed as orders to be issued at the hearing and are posted in advance for the convenience of the parties and their counsel. Any party objecting to the tentative ruling should promptly notify the opposing party of the substance of the objection with sufficient time to allow all parties, or their attorneys of record, to appear in person or by telephone at the scheduled hearing. Absent objection, the Court routinely adopts the tentative ruling as posted. Failures to appear, absent an order to appear, are deemed consent to the tentative ruling.

1. **1:00 PM** Case: 10CV36439 [S] CHAVEZ-OCHOA v RHODES
Type: MONEY Date Filed: 02/10/10
Event: CASE MANAGEMENT CONFERENCE-CIVIL
07/13/10 10:00 1 PLTF'S MOTION FOR ORDER THAT PLTF'S REQ
FOR ADMISSIONS, SET ONE, BE DEEMED
ADMITTED & FOR MONETARY SANCTIONS

Related cases NOT on this calendar: CV34441 , CV35874 ,
PLNTFF: CHAVEZ OCHOA LAW OFFICES INC ATTY: MAYALL HURLEY KNUITSEN SMITH &
PLNTFF: MAYALL HURLEY KNUITSEN SMITH & GRE ATTY: MAYALL HURLEY KNUITSEN SMITH &
DEFNDT: RHODES, LEE MICHAEL ATTY: IN PRO PER
Service Date/Type: 02/26/10 SUB Answer Date: 03/30/10

Tentative Ruling: The case is At-Issue and mediation is recommended to the parties. A Trial Setting Conference is set in Dept. 1A at 1:00 PM on 11/29/10.

2. **1:00 PM** Case: 10CV36443 [S] MAY v BENNETTS
Type: NEGLIGENCE Date Filed: 02/16/10
Event: CASE MANAGEMENT CONFERENCE-CIVIL
Event: OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED

PLNTFF: MAY, WILLIAM ATTY: DAMBACHER TRUJILLO & WRIGHT
DEFNDT: BENNETTS, GEORGE

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. Plaintiff must file a proper Proof of Service prior to the next hearing. An Amended Petition is intended. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 11/29/10.

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3. 1:00 PM Case: CF8478 [M] MIDLAND FUNDING LLC v MOE
Type: COLLECTIONS Date Filed: 02/23/09
Priority Info: RULE 3.740
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: MIDLAND FUNDING LLC ATTY: BRACHFELD LAW GROUP
DEFNDT: MOE, JAMES G
Service Date/Type: 03/15/09 PER 00/00/00

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 11/1/10.

4. 1:00 PM Case: CF8952 [M] CAVALRY PORTFOLIO v DIBASILIO
Type: COLLECTIONS Date Filed: 11/16/09
Priority Info: RULE 3.740
Event: OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED

PLNTFF: CAVALRY PORTFOLIO SERVICES LLC ATTY: THOMAS LAW OFFICES
ASSINEE CAVALRY INVESTMENTS LLC
ASSINEE HSBC BANK NEVADA NA
DEFNDT: DIBASILIO, RICHARD A

Tentative Ruling: Plaintiff has not filed a proper proof of service as to all defendants. Plaintiff must file proof of service as to all defendants or file a declaration of good cause prior to the OSC re: Sanctions [CRC 3.740(e)] hearing in Department 1A at 1:00 PM on 11/1/10.

5. 1:00 PM Case: CF8990 [M] WESTPHALL v FRYE
Type: PI - MV Date Filed: 12/15/09
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: WESTPHALL, TIFFANY MAE ATTY: IN PRO PER
DEFNDT: FRYE, CYNTHIA MARIE ATTY: IN PRO PER
Service Date/Type: 00/00/00 Answer Date: 03/08/10

Tentative Ruling: The case is At-Issue and is set for Trial in Dept. 2 approximately 120 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: ½ day court trial.

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6. 1:00 PM Case: CV36069 [S] CULLEN v ANDRUS
Type: FRAUD Date Filed: 09/17/09
Event: TRIAL SETTING AFTER MEDIATION

PLNTFF: CULLEN, JOE ATTY: BERNARD BALGLEY & BONACCORSI
PLNTFF: CULLEN, MARIANNE ATTY: BERNARD BALGLEY & BONACCORSI
DEFNDT: ANDRUS, SUE
Service Date/Type: 11/24/09 SUB 00/00/00
DEFNDT: CALIFORNIA PROPERTIES
Service Date/Type: 11/23/09 SUB 00/00/00
DEFNDT: CORWIN, PAUL ATTY: LEUTHOLD, RICHARD R. ESQ.
Service Date/Type: 11/19/09 PER Answer Date: 12/21/09
DEFNDT: CORWIN, GERALDINE ATTY: LEUTHOLD, RICHARD R. ESQ.
Service Date/Type: 11/19/09 PER Answer Date: 12/21/09

Tentative Ruling: Initial discovery is pending and mediation is recommended to the parties. A Further Trial Setting Conference is set in Dept. 1A at 1:00 PM on 9/20/10.

7. 1:00 PM Case: CV36325 [S] NELSON v CORDELL/BEAR VALLEY
Type: PI-NON MOTOR VEHICLE Date Filed: 12/17/09
Event: CASE MANAGEMENT CONFERENCE-CIVIL
Event: OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED

PLNTFF: NELSON, WENDY ANN ATTY: IN PRO PER
DEFNDT: CORDELL, SCOTT
DEFNDT: BEAR RIDGE RESTAURANT & PUB

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 11/29/10.

8. **1:30 PM** Case: 10FL36438 [S] GRABOWSKI v GRABOWSKI
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 02/10/10
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: GRABOWSKI, JENNIFER K. ATTY: TRIFILO, JOHN J. ESQ
RESP: GRABOWSKI, MICHAEL A.
Service Date/Type: 02/16/10 PER 00/00/00

Tentative Ruling: There are temporary orders. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. This matter may be concluded by filing a Marital Settlement Agreement ("MSA") signed by the parties attached to the Judgment (FL-180). After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 11/1/10.

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9. 1:30 PM Case: 10FL36453 [S] KOWALEWSKI v KOWALEWSKI
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 02/22/10
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: KOWALEWSKI, ADINA ATTY: IN PRO PER
RESP: KOWALEWSKI, BRIAN

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until Proof of Service is filed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 9/20/10.

10. 1:30 PM Case: 10FL36462 [S] HARP v HARP
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 02/23/10
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: HARP, LISA ATTY: BUTLER, DIANNE DREW ESQ
RESP: HARP, BRADLEY ATTY: IN PRO PER
Service Date/Type: 03/02/10 PER Answer Date: 03/12/10

Tentative Ruling: Petitioner and Respondent are ordered to serve and file Preliminary Declarations of Disclosure (FL-141) prior to the next hearing. This matter may be concluded by filing a Marital Settlement Agreement ("MSA") signed by the parties attached to the Judgment (FL-180). After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 11/1/10.

11. 1:30 PM Case: 10FL36466 [S] MERRILL-HARDING v HARDING
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 02/24/10
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: MERRILL-HARDING, PATRICIA ATTY: TRIFILO, JOHN J. ESQ
RESP: HARDING, JOHN G. ATTY: SALAZAR, ANTHONY T. ESQ
Service Date/Type: 03/06/10 PER Answer Date: 04/12/10

Tentative Ruling: There are temporary orders. Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. This matter may be concluded by filing a Marital Settlement Agreement ("MSA") signed by the parties attached to the Judgment (FL-180). After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 11/1/10.

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12. 1:30 PM Case: 10FL36476 [S] PLOWMAN II v PLOWMAN
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 02/26/10
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: PLOWMAN, ROBERT JOSEPH II ATTY: IN PRO PER
RESP: PLOWMAN, ADRIANNE MICHAEL ATTY: IN PRO PER
Service Date/Type: 03/10/10 PER Answer Date: 04/27/10

Tentative Ruling: Petitioner and Respondent are ordered to serve and file Final Declarations of Disclosure (FL-141) prior to the next hearing. This matter may be concluded by filing a Marital Settlement Agreement ("MSA") signed by the parties attached to the Judgment (FL-180). After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 9/20/10.

13. 1:30 PM Case: 10FL36484 [S] CRISTLER v CRISTLER
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 02/26/10
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

08/17/10 9:00 1 RESPONDENT'S OSC FOR SPOUSAL SUPPORT,
ORDERS RE COMMUNITY REAL PROPERTY -
SPECIFIC RESIDENCE RE GARAGE

PETNR: CRISTLER, RENEE ATTY: COTTRELL, STEVEN J ESQ
RESP: CRISTLER, TIMOTHY JAMES ATTY: THOMAS, RANDY E. ESQ
Service Date/Type: 03/08/10 PER Answer Date: 04/05/10

Tentative Ruling: Petitioner and Respondent are ordered to serve and file Final Declarations of Disclosure (FL-141) prior to the next hearing. This matter may be concluded by filing a Marital Settlement Agreement ("MSA") signed by the parties attached to the Judgment (FL-180). After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 11/1/10.

14. 1:30 PM Case: 10FL36485 [S] KRUSE v KRUSE
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 02/26/10
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

06/29/10 9:00 1 PETITIONER'S OSC FOR SPOUSAL SUPPORT

PLNTFF: KRUSE, JACQUELINE A. ATTY: TRIFILO, JOHN J. ESQ
RESP: KRUSE, RICHARD A. ATTY: GOSS & GOSS
Service Date/Type: 03/10/10 PER Answer Date: 04/07/10

Tentative Ruling: There are temporary orders. Petitioner and Respondent are ordered to serve and file Preliminary Declarations of Disclosure (FL-141) prior to the next hearing. This matter may be concluded by filing a Marital Settlement Agreement ("MSA") signed by the parties attached to the Judgment (FL-180). After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 11/1/10.

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15. 1:30 PM Case: 10GD7141 [S] GUARD. OF DONOVAN-MAY
Type: GUARDIANSHIP OF MINOR & ESTATE Date Filed: 04/07/10
At-Issue Date: 00/00/00 Trial: 06/30/10 COURT TRIAL - SHORT CAUSE
Event: FURTHER CASE MANAGEMENT CONFERENCE ON
PETITION FOR APPOINTMENT OF GUARDIAN
PERSON AND ESTATE
06/30/10 9:00 1 COURT TRIAL ON PETITION FOR APPOINTMENT
OF GUARDIAN-PERSON AND ESTATE
TENTATIVE DATE

Related cases NOT on this calendar: CV33897 ,
PETNR: BLOOD, RICHARD ATTY: D'ARCY, CHERIE ESQ
PETNR: BLOOD, MARGARET ATTY: D'ARCY, CHERIE ESQ
MINOR: DONOVAN-MAY, MADELINE L.
MINOR: DONOVAN-MAY, MILES R.
MOTHER: DECEASED
FATHER: MAY, JASON ATTY: AIROLA & AIROLA

Tentative Ruling: Absent agreement of the parties to the contrary, the trial of 6/30/10 is confirmed.

16. 1:30 PM Case: 10PA36452 [S] ELIZALDE v MORELAND
Type: ESTABLISH PARENTAL RELATIONSHI Date Filed: 02/22/10
Priority Info: CONFIDENTIAL
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: ELIZALDE, LEVON ATTY: IN PRO PER
RESP: MORELAND, JENNIFER

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until Proof of Service is filed. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 8/30/10.

17. 1:30 PM Case: 10PA36465 [S] WILSON v MCDANIEL
Type: ESTABLISH PARENTAL RELATIONSHI Date Filed: 02/24/10
Priority Info: CONFIDENTIAL
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: WILSON, LESLEY ATTY: IN PRO PER
RESP: MCDANIEL, CHRISTOPHER
Service Date/Type: 02/24/10 PER 00/00/00

Tentative Ruling: There is Proof of Service but no Response (FL-220) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 9/20/10.

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18. 1:30 PM Case: CV35051 [S] FREESEHA v FREESEHA
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 09/09/08
Event: FURTHER CASE MANAGEMENT CONFERENCE

Related cases NOT on this calendar: 10CS36698 ,
PETNR: FREESEHA, AMY L. ATTY: IN PRO PER
RESP: FREESEHA, JOHN A. ATTY: IN PRO PER
Service Date/Type: 00/00/00 Answer Date: 02/10/09

Tentative Ruling: There are temporary orders. The parties are not divorced. Respondent is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 9/20/10.

19. 1:30 PM Case: CV35123 [S] GALUSHA v GALUSHA
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 10/03/08
Event: RETURN ON MEDIATION/TRIAL SETTING
10/27/10 9:00 4 CSCSA'S MOTION RE SEEK EMPLOYMENT; \$19K

PETNR: GALUSHA, SANDRA ATTY: CALDERWOOD, BRUCE G ESQ
J/PRTY: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT
RESP: GALUSHA, KEETER W. ATTY: SALAZAR, ANTHONY T. ESQ
Service Date/Type: 10/23/08 PER Answer Date: 03/24/09
CLAMNT: VANGUARD FIDUCIARY TRUST COMPANY
CLAMNT: AGCO CORPORATION
CLAMNT: AGCO CORPORATION SAVINGS PLAN

Tentative Ruling: There are temporary orders. The matter is set for Settlement and Trial Setting Conference (See Local Rule 5.9(b)) with Settlement Conference Statements due 5 court days prior to hearing at 2:30 PM in Dept. 1A on 7/26/10.

20. 1:30 PM Case: CV35762 [S] GOWAN v GOWAN
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 06/01/09
Event: FURTHER CASE MANAGEMENT CONFERENCE

Related cases NOT on this calendar: CV35990 ,
PETNR: GOWAN, SHAWN R ATTY: IN PRO PER
RESP: GOWAN, JENNIFER M ATTY: IN PRO PER
Service Date/Type: 06/02/09 PER 00/00/00

Tentative Ruling: The parties are not divorced. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 12/27/10.

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21. 1:30 PM Case: CV35853 [S] RUGGIERI v RUGGIERI
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 06/29/09
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV35838 ,
PETNR: RUGGIERI, THOMAS N. ATTY: D'ARCY, CHERIE ESQ
J/PRTY: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT
RESP: RUGGIERI, SKYE S. ATTY: IN PRO PER
Service Date/Type: 06/29/09 PER Answer Date: 07/09/09

Tentative Ruling: There are temporary orders. Final disposition awaits sale of the residence. This matter may be concluded by filing a Marital Settlement Agreement ("MSA") signed by the parties attached to the Judgment (FL-180). After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 9/20/10.

22. 1:30 PM Case: CV35861 [S] RAYNOR v RAYNOR
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 06/30/09
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV35748 ,
PETNR: RAYNOR, GORDEN ATTY: SALAZAR, ANTHONY T. ESQ
AKA: RAYNOR, GORDON
RESP: RAYNOR, CLORA ATTY: IN PRO PER
Service Date/Type: 00/00/00 Answer Date: 07/30/09

Tentative Ruling: The matter is set for Settlement and Trial Setting Conference (See Local Rule 5.9(b)) with Settlement Conference Statements due 5 court days prior to hearing at 2:30 PM in Dept. 1A on 7/26/10.

23. 1:30 PM Case: CV35999 [S] BOULWARE v BOULWARE
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 08/25/09
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: BOULWARE, JACOB MITCHELL ATTY: IN PRO PER
RESP: BOULWARE, BRANDIE ANN

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until Proof of Service is filed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 9/20/10.

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24. 1:30 PM Case: CV36264 [S] GRECH v OLSEN
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 11/19/09
Event: FURTHER CASE MANAGEMENT CONFERENCE

PETNR: GRECH, JOSEPH GEORGE ATTY: IN PRO PER
RESP: OLSEN, NICOLE HELEN ATTY: IN PRO PER
Service Date/Type: 00/00/00 Answer Date: 02/01/10

Tentative Ruling: The parties are not divorced. The parties failed to file FL-105 (UCCJEA) regarding the location and caregiver(s) for their children. Petitioner and Respondent are ordered to serve and file Preliminary Declarations of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 9/20/10.

25. 1:30 PM Case: CV36269 [S] HUKILL v HUKILL
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 11/23/09
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: HUKILL, JASON SCOTT ATTY: IN PRO PER
RESP: HUKILL, KAREN D ATTY: IN PRO PER
Service Date/Type: 00/00/00 Answer Date: 01/28/10

Tentative Ruling: The parties are not divorced. Petitioner and Respondent are ordered to serve and file Preliminary Declarations of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 9/20/10.

26. **2:30 PM** Case: CV34484 [S] PATTON v BUTTON
Type: LEGAL SEPARATION WITH MINOR CH Date Filed: 03/05/08
Priority Info: CONS W/CV34979 - CV34484 LEAD
Event: SETTLEMENT CONFERENCE/TRIAL SETTING

Related cases NOT on this calendar: CV34673 , CV34979 ,
PETNR: PATTON, KRISTEN N. ATTY: IN PRO PER
RESP: BUTTON, RANDY T. ATTY: SALAZAR, ANTHONY T. ESQ

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.

28. 2:30 PM Case: CV35106 [S] STRINGHAM v STRINGHAM
Type: LEGAL SEPARATION WITHOUT MINOR Date Filed: 09/26/08
Event: SETTLEMENT CONFERENCE/TRIAL SETTING

PETNR: STRINGHAM, MARIANA ATTY: WOOD, DARLENE D ESQ
RESP: STRINGHAM, JACK ATTY: FOX LAW OFFICES, CATHERINE A.
Service Date/Type: 10/28/08 PER Answer Date: 05/18/09

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.

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END OF DOCUMENT.